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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,157	10/10/2005	Peter Jacobsson	0110-053	1454

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POTOMAC PATENT GROUP, PLLC  
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EXAMINER
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MOTTOLA, STEVEN J

ART UNIT	PAPER NUMBER
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2817

MAIL DATE	DELIVERY MODE
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05/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/542,157

Applicant(s)

JACOBSSON ET AL.

Examiner

Steven J. Mottola

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5,10 and 15-17 is/are rejected.
- 7) ☒ Claim(s) 2-4,6-9 and 11-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,5 & 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuoka.

Refer to fig. 1 of Matsuoka. Treating claim 1 first, an amplifier 106 is predistorted in accordance with compensation coefficients stored in a look up table 103 having the form of complex vectors (thus there will be a phase value associated with each coefficient) by a distortion compensation 104 that may be read as the offset adding means claimed as it will phase (and amplitude) shift the input signal in accordance with the reading unit 102, connected to both the distortion compensation 104 and look up table 103, and which may be read as the controller claimed as it will read a value from the look up table 103 and output it to the compensation 104. See col. 2, lines 32-52 of Matsuoka. Regarding claim 5, Matsuoka identify compensation 104 as computing complex products and it may therefore be read as a complex multiplier as claimed; see lines 2-6 of col. 3 of Matsuoka. Regarding claims 15-17 the circuit of Matsuoka may be a part of a mobile communication apparatus ; see col. 8, lines 26-45.

Claim 10 is rejected under 35 U.S.C. 102(e) as being anticipated by Tetsuya.

Refer to fig. 1 of Tetsuya. An amplifier means (within transmitter 10) is predistorted by predistortion linearizer 9 and includes a data storage ROM 16 that may be read as the storage means or look up table claimed. A complex (thus including phase, note two arrows from the ROM to the linearizer having I and Q components) value is retrieved from the storage ROM 16 by address generator 14 in accordance with the power calculating portion 12, which would inherently reflect any change in gain of the amplifier. The compensation data is read out to the predistortion linearizer and the phase (and amplitude) offset accordingly; see col. 7, lines 31-50 of Tetsuya.

Claims 2-4,6-9 & 11-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Matsuoka does not disclose that a retrieved phase value corresponds to a given gain as recited in claim 2, or to a change in gain from one level to another as in claims 3 and 6. Matsuoka also lacks the temperature sensing means and frequency indicator of claims 8 and 9 respectively in the context claimed. Tetsuya does not disclose receiving a new gain value and retrieving an associated phase value as in claim 11 or that the phase value that corresponds to a basic gain level is zero of claim 12 or retrieving a temperature dependent phase value as in claim 13 or a frequency dependent phase value as in claim 14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven J. Mottola whose telephone number is 571-272-1766. The examiner can normally be reached on M-Th & some F from 8 to 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal, can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Steven J. Mottola', is positioned above the printed name.

**Steven J. Mottola**  
Primary Examiner